

HOUSE BILL REPORT

SHB 1891

As Passed Legislature

Title: An act relating to issuing reclaimed water permits to private utilities.

Brief Description: Concerning reclaimed water permits.

Sponsors: By House Committee on Economic Development, Agriculture & Trade (originally sponsored by Representatives Hinkle, B. Sullivan, Buck and Haler).

Brief History:

Committee Activity:

Economic Development, Agriculture & Trade: 2/23/05, 3/1/05 [DPS].

Floor Activity:

Passed House: 3/10/05, 95-0.

Passed Senate: 4/5/05, 49-0.

Passed Legislature.

Brief Summary of Substitute Bill

- Authorizes private utilities to obtain reclaimed water permits.

HOUSE COMMITTEE ON ECONOMIC DEVELOPMENT, AGRICULTURE & TRADE

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 21 members: Representatives Linville, Chair; Pettigrew, Vice Chair; Kristiansen, Ranking Minority Member; Skinner, Assistant Ranking Minority Member; Blake, Buri, Clibborn, Condotta, Dunn, Grant, Haler, Holmquist, Kenney, Kilmer, Kretz, Morrell, Newhouse, Quall, Strow, P. Sullivan and Wallace.

Minority Report: Without recommendation. Signed by 2 members: Representatives Chase and McCoy.

Staff: Caroleen Dineen (786-7156).

Background:

Reclaimed water is an effluent derived from a wastewater treatment system that has been treated to be suitable for a beneficial use or a controlled use that otherwise would not occur. Reclaimed water may be used for a variety of nonpotable water purposes, including irrigation, agricultural uses, industrial and commercial uses, streamflow augmentation, dust control, fire suppression, surface percolation, and discharge into constructed wetlands.

The Washington State Department of Health (DOH) and the Washington State Department of Ecology (DOE) were required to adopt a single set of standards, procedures, and guidelines for industrial and commercial uses and land applications of reclaimed water. The DOH issues permits to water generators for commercial or industrial uses of reclaimed water. The DOE issues reclaimed water permits for land applications of reclaimed water. A reclaimed water permit for these types of uses may only be issued to a municipal, quasi-municipal, or other governmental entity or to the holder of a water quality waste discharge permit.

Summary of Substitute Bill:

A private utility may obtain a reclaimed water permit for industrial and commercial uses and land applications of reclaimed water. "Private utility" is defined for this purpose to include all private and public utilities that provide sewerage and/or water service and do not qualify as municipal corporations. A private utility may be owned by a corporation, a cooperative association, mutual organization, or an individual person(s).

Before deciding whether to issue a reclaimed water permit to a private utility, the DOH or the DOE may require information that is reasonable and necessary to determine whether the private utility has the financial and other resources to assure the reliability, continuity, and supervision of the reclaimed water facility.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: The reclaimed water statutes encourage public-private cooperation but do not allow private utilities to reclaim water. Water systems have to submit plans demonstrating their financial viability, and water treatment facilities are required to have certified operators. This bill allows state-of-the-art wastewater technology to be used by the private sector. This bill provides a more efficient system and a greater environmental benefit from reclaimed water.

With a projected drought situation, use of reclaimed water becomes more important. Private utilities should be allowed to invest in these facilities.

(With concerns) Reclaimed water is the future - these systems preserve water for potable uses. Assurances regarding the reliability and supervision of private utilities are needed.

Testimony Against: None.

Persons Testifying: Representative Hinkle, prime sponsor; and Clint Perry, Terra Design Works.

(With concerns) Melodie Selby, Washington Department of Ecology.

Persons Signed In To Testify But Not Testifying: None.